



**STATE OF TENNESSEE  
BEFORE THE TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS**

**IN THE MATTER OF:**

**Signature Funeral Home by Premier  
5270 Knight Arnold Rd.  
Memphis, TN 38118**

**AND**

**Roland Lee Gosey  
P.O. Box 325  
Arkadelphia, AR 71923**

) **Docket No. 12.21-155427A**

) **Complaint No.**

) **FUN-RBS-2017059021**

) **FUN-RBS-2017059341**

) **FUN-RBS-2017059471**

) **FUN-RBS-2017068431**

) **FUN-RBS-2017068451**

) **FUN-RBS-2017068471**

) **FUN-RBS-2017069881**

) **FUN-RBS-2017069901**

) **FUN-RBS-2017069921**

**SECRETARY OF STATE**

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**FINAL ORDER**

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This matter came to be heard on March 12, 2019, before the Tennessee Board of Funeral Directors and Embalmers (hereinafter "Board") sitting with Judge Leonard Pogue assigned by the Tennessee Secretary of State, in Room 1B of the Davy Crockett Tower, 500 James Robertson Parkway, Nashville, Tennessee 37243. Ashley Geno and Cherrelle Hooper, attorneys for the Department of Commerce and Insurance, Office of Legal Counsel, (hereinafter "Counsel") represented the State of Tennessee (hereinafter "State" or "Department"). Respondents did not appear. Counsel for the Petitioners in this matter moved for a default judgment. After consideration, the Board voted to grant the default judgment.

Counsel for the Petitioners proceeded with presenting the proof in this matter at approximately 10:15 a.m. At the conclusion of the hearing, the Board voted to adopt the following findings of fact and conclusions of law. The Board further voted to grant the following

judgement based upon the findings of fact and conclusions of law it adopted.

### FINDINGS OF FACT

1. Mr. Roland Lee Gosey was the owner and manager of Signature Funeral Home by Premier at all times relevant to these complaints.
2. Mr. Bevis Bell (hereinafter "Mr. Bell") has not held an active license or registration with the State Board of Funeral Directors and Embalmers since 2000.

#### *Deceased: Zenieth Smiley Almo*

3. Zenieth Smiley Almo (hereinafter "Ms. Almo") died on August 25, 2017.
4. On or about August 26, 2017, Ms. Shaquita Young (hereinafter "Ms. Young") and several others, including her brother Terran Ellis (hereinafter "Mr. Ellis"), met at the funeral home to obtain a quote for services. Mr. Bell conducted the meeting alone and discussed funeral plans with the family.
5. Ms. Young and Mr. Ellis were asked by Mr. Bell to sign a form in order to be provided with a quote. Both allege they were deceived by Mr. Bell regarding the purpose of this form. Neither Ms. Young or Mr. Ellis realized that executing the form would authorize the release of their mother's remains and believed its sole purpose would be to enable Mr. Bell to provide a quote for the total expenses.
6. On or about August 28, 2017, Ms. Young and Mr. Ellis discovered Signature Funeral Home was in possession of their mother's remains, which upset them. Signature Funeral Home provided a quote to the family of over eight thousand dollars (\$8,000.00). After consulting with one another, Ms. Young and Mr. Ellis decided to obtain a quote from another funeral establishment. R.S. Lewis and Sons Funeral Home provided a quote that was much cheaper, so the two decided to transfer Ms. Almo's remains. Upon informing Signature Funeral

Home that they wished to have Ms. Almo's remains transferred to another establishment, they were informed by Bevis Bell that her remains would not be released until the amount of one thousand seventy-five dollars (\$1,075.00) was paid to Signature Funeral Home.

7. The following day, Bevis Bell indicated that the remains would not be released until the amount of two thousand one hundred seventy-five dollars (\$2,175.00) was paid to Signature Funeral Home. In addition to fees for removal and embalming, there were consultation and storage fees incorporated into this amount.
8. Employees of R.S. Lewis and Sons Funeral Home subsequently called Signature Funeral Home to attempt to negotiate the release of Ms. Almo's remains in exchange for the reasonable charges of removal and embalming. Signature Funeral Home refused to negotiate and maintained that two thousand one hundred seventy-five dollars (\$2,175.00) was owed prior to release.
9. On or about September 5, 2017, members of the family went to Signature Funeral Home along with the Memphis Police Department, news media, and two employees of R.S. Lewis and Sons Funeral Home to demand the release of Ms. Almo's remains. Signature Funeral Home did not release the remains until the amount of two thousand one hundred seventy-five dollars (\$2,175.00) was paid. Signature Funeral Home never provided the family with an itemized list to explain these charges. In addition, no statement of goods and services contract was ever executed.
10. After taking possession of Ms. Almo's remains, the employees of R.S. Lewis and Sons Funeral Home noticed that Ms. Almo's body was in poor condition from the embalming and contacted Signature Funeral Home to obtain information regarding who conducted the embalming. Signature Funeral Home refused to provide any information at that time.

11. At no time was the manager or a licensed funeral director present at Signature Funeral Home for any of the dealings the family had with the establishment involving Ms. Almo's remains.
12. The family never had dealings with anyone other than Bevis Bell at Signature Funeral Home up until the date of release of Ms. Almo's remains to R.S. Lewis and Sons Funeral Home. On that day, Mr. Roland Gosey was contacted by phone and indicated that Ms. Almo's remains would not be released until all fees quoted by Bevis Bell were paid.
13. Mr. Roland Gosey is the only manager and licensed funeral director listed for this establishment. Mr. Gosey is also listed as the owner/managing funeral director/embalmer for Williams Funeral Home located in Arkadelphia, Arkansas.
14. Mr. Bell gave the impression that he was a funeral director and conducted himself in an unprofessional, rude, and hostile manner.
15. Mr. Bell executed the "Statement of Death by Funeral Director" form by signing his name in the section entitled "Signature Of Funeral Director Or Authorized Representative".
16. On the most recent Establishment Inspection Report dated August 8, 2017, the contact person during the inspection is listed as Bevis Bell and the establishment e-mail address is listed as bevisbell44@gmail.com.
17. Ms. Young filed a complaint with the Board on September 4, 2017, regarding the events surrounding Ms. Almo's remains. Ms. Tyquawenlyn Dukes, niece of Ms. Almo, filed a complaint alleging similar facts on September 5, 2017.

*Deceased: Terry Hayes*

18. Terry Hayes died on August 23, 2017.
19. Wolfe Brothers Funeral Home obtained the body because it provides coroner services in the area where Terry Hayes' remains were located.

20. A family member other than Daterrius Hayes, daughter of the deceased, verbally authorized the release of Terry Hayes' remains to Signature Funeral Home.
21. Daterrius Hayes did not learn Signature Funeral Home had possession of her mother's remains until she received a phone call from Mr. Bell. Following the phone call, Mr. Bell visited Daterrius Hayes at her home later that day with Daterrius Hayes' consent. At that time, Mr. Bell asked her to sign an authorization to release, which she signed. They also set up a time for a consultation.
22. A few days later, Daterrius Hayes and her aunt Vickie Hayes visited Signature Funeral Home. The two met with Mr. Bell who attempted to make the contractual arrangements for the funeral goods and services. Some of Mr. Bell's conduct included things such as showing them a casket and quoting prices. Mr. Bell refused to provide the two with a price list.
23. Daterrius Hayes, Vickie Hayes, and Mr. Bell were the only individuals present for the arrangement conference that day. The only other person at the establishment at the time of their meeting was a secretary.
24. A few days later, Daterrius Hayes went back to the establishment with another individual and met exclusively with Mr. Bell again to discuss prices, but the prices changed again.
25. A few days later, Daterrius Hayes went back to the establishment for a third time with another individual and met exclusively with Mr. Bell again. After another dispute about the final price of the funeral goods and services, Daterrius Hayes decided she did not want to proceed with Signature Funeral Home and did not sign the contract.
26. On or about September 6, 2017, the family, Memphis Police Department, employees of R. Bernard Funeral Home, and the news media went to the establishment because the family

decided it wanted to have the remains of Terry Hayes transferred to R. Bernard Funeral Home.

27. Signature Funeral Home refused to release the body until payment was made for the removal and embalming.
28. Signature Funeral Home eventually agreed to lower the balance owed and Daterrius Hayes paid nine hundred dollars (\$900.00) to have her mother's remains released.
29. Mr. Bell made at least two trips to Daterrius Hayes' home, and he met with her and others on at least three separate occasions at the establishment in an attempt to reach a contractual agreement regarding funeral goods and services.
30. There was not a licensed funeral director with Mr. Bell when he visited Daterrius Hayes' home. In addition, there was not a licensed funeral director at the establishment on any of the occasions that Daterrius Hayes was there to make arrangements for her mother.
31. Mr. Roland Gosey is the only manager and licensed funeral director listed for this establishment. Mr. Gosey is also listed as the owner/managing funeral director/embalmer for Williams Funeral Home located in Arkadelphia, Arkansas.
32. Mr. Bell gave the impression that he was a funeral director.
33. On the most recent Establishment Inspection Report dated August 8, 2017, the contact person during the inspection is listed as Bevis Bell and the establishment e-mail address is listed as bevisbell44@gmail.com.
34. Daterrius Hayes filed a complaint with the Board on September 5, 2017, related to the events surrounding her mother's remains.

*Deceased Van Addison*

35. Ms. Van Addison died on October 5, 2017.
36. On or about October 9<sup>th</sup> or 10<sup>th</sup> of 2017, her daughter, Ms. Shontelle Williams Moore, and her granddaughter, Gretearica Williams visited Signature Funeral Home where they met with Mr. Bell who held a meeting without a licensed funeral director present. This was a meeting during which funeral arrangements were discussed in order to attempt to reach an agreement for funeral goods and services. No licensed funeral director was present for the meeting nor did it appear that a licensed funeral director was on the premises at all.
37. On or about October 11, 2017, Ms. Moore and her husband, Ernest Moore, returned to Signature Funeral Home where they met exclusively with Mr. Bell. This was a meeting during which funeral arrangements were discussed in order to attempt to reach an agreement for funeral goods and services. No licensed funeral director was present for the meeting nor did it appear that a licensed funeral director was on the premises at all.
38. On or about October 11, 2017, Christian Funeral Directors, Inc. was contacted by a family seeking to have their family member transferred from Signature Funeral Home. Mr. Laron Jackson, employee of Christian Funeral Directors, Inc. contacted Signature Funeral Home to discuss the transfer and was informed by Mr. Bell that the amount of one thousand seven hundred and seventy five dollars (\$1,775.00) was required to be paid prior to the release. This amount included three hundred and seventy five dollars (\$375.00) for removal, seven hundred dollars (\$700) for embalming and seven hundred dollars (\$700) for a minimum casket.
39. The family was willing to pay for everything (i.e. the removal and embalming fees) except for the casket, which had not been discussed or used.



40. Mr. Jackson and Ms. Moore visited the establishment only to find that Mr. Gosey was not present. That day, Mr. Jackson and Ms. Moore were asked to leave the building using profanity and did so. After calling the police and news media to the scene as well as contacting the Board office, the transfer finally occurred.
41. Mr. Jackson filed a complaint on October 12, 2017, regarding these matters. Ms. Shontelle Williams Moore, daughter of Ms. Van Addison, filed a complaint regarding the same matters on October 23, 2017.

#### CONCLUSIONS OF LAW

1. Respondents' acts and conduct constitute continuing violations of Tenn. Code Ann. § 62-5-313 concerning unlicensed activity and the manager's responsibility for each establishment, subjecting Respondents to possible disciplinary action, civil penalties of up to \$1,000.00 per incident per day pursuant to Tenn. Code Ann. § 56-1-308(a) and Tenn. Comp. R. & Regs. 0660-08-.01, and the assessment of investigatory and hearing costs pursuant to Tenn. Code Ann. § 56-1-311 and Tenn. Comp. R. & Regs. 0780-5-11-.01. Respondents can be deemed to have continuously violated this provision in 2017.
2. Respondents' acts and conduct constitute continuing violations of Tenn. Code Ann. § 62-5-317 concerning knowingly permitting unlicensed activity of a person under one's supervision, subjecting Respondents to possible disciplinary action, civil penalties of up to \$1,000.00 per incident per day pursuant to Tenn. Code Ann. § 56-1-308(a) and Tenn. Comp. R. & Regs. 0660-08-.01, and the assessment of investigatory and hearing costs pursuant to Tenn. Code Ann. § 56-1-311 and Tenn. Comp. R. & Regs. 0780-5-11-.01. Respondents can be deemed to have continuously violated this provision in 2017.



3. Respondents' acts and conduct constitute continuing violations of Tenn. Code Ann. § 62-5-317 concerning misrepresentation or fraud in the conduct of the business of the funeral establishment, subjecting Respondents to possible disciplinary action, civil penalties of up to \$1,000.00 per incident per day pursuant to Tenn. Code Ann. § 56-1-308(a) and Tenn. Comp. R. & Regs. 0660-08-.01, and the assessment of investigatory and hearing costs pursuant to Tenn. Code Ann. § 56-1-311 and Tenn. Comp. R. & Regs. 0780-5-11-.01. Respondents can be deemed to have continuously violated this provision in 2017.
4. Respondents' acts and conduct constitute continuing violations of Tenn. Code Ann. § 62-5-317 concerning aiding or abetting an unlicensed person to practice within the funeral profession, subjecting Respondents to possible disciplinary action, civil penalties of up to \$1,000.00 per incident per day pursuant to Tenn. Code Ann. § 56-1-308(a) and Tenn. Comp. R. & Regs. 0660-08-.01, and the assessment of investigatory and hearing costs pursuant to Tenn. Code Ann. § 56-1-311 and Tenn. Comp. R. & Regs. 0780-5-11-.01. Respondents can be deemed to have continuously violated this provision in 2017.
5. Respondents' acts and conduct constitute continuing violations of Tenn. Code Ann. § 62-5-317 concerning unreasonably refusing to promptly surrender the custody of a dead human body upon the express order of the person lawfully entitled to the custody of the dead human body, subjecting Respondents to possible disciplinary action, civil penalties of up to \$1,000.00 per incident per day pursuant to Tenn. Code Ann. § 56-1-308(a) and Tenn. Comp. R. & Regs. 0660-08-.01, and the assessment of investigatory and hearing costs pursuant to Tenn. Code Ann. § 56-1-311 and Tenn. Comp. R. & Regs. 0780-5-11-.01. Respondents can be deemed to have continuously violated this provision in 2017.

6. Respondents' acts and conduct constitute continuing violations of TENN. COMP. R. & REGS. § 0660-11-.05 concerning treating members of the public in a respectful manner, subjecting Respondents to possible disciplinary action, civil penalties of up to \$1,000.00 per incident per day pursuant to Tenn. Code Ann. § 56-1-308(a) and Tenn. Comp. R. & Regs. 0660-08-.01, and the assessment of investigatory and hearing costs pursuant to Tenn. Code Ann. § 56-1-311 and Tenn. Comp. R. & Regs. 0780-5-11-.01. Respondents can be deemed to have continuously violated this provision in 2017.
7. Respondents' acts and conduct constitute continuing violations of TENN. COMP. R. & REGS. § 0660-11-.06 concerning engaging in unfair or deceptive acts or practices defined in the Funeral Rule and any other act, omission or practice that is misleading or deceptive, subjecting Respondents to possible disciplinary action, civil penalties of up to \$1,000.00 per incident per day pursuant to Tenn. Code Ann. § 56-1-308(a) and Tenn. Comp. R. & Regs. 0660-08-.01, and the assessment of investigatory and hearing costs pursuant to Tenn. Code Ann. § 56-1-311 and Tenn. Comp. R. & Regs. 0780-5-11-.01. Respondents can be deemed to have continuously violated this provision in 2017.

#### **JUDGMENT**

**WHEREFORE**, based upon the findings of fact and conclusions of law, it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

1. Respondent Signature Funeral Home by Premier is assessed and shall pay a total of seven thousand dollars (\$7,000.00) in civil penalties.
2. Respondent Roland Lee Gosey is assessed and shall pay a total of seven thousand dollars (\$7,000.00) in civil penalties.
3. Respondent Signature Funeral Home by Premier's funeral establishment license

#1346 is revoked up until the effective date of the change of ownership of the funeral establishment and the name change to Williams Funeral Home, which was October 31, 2018.

4. Respondent Roland Lee Gosey's funeral director license #16258 is revoked.
5. Respondent Roland Lee Gosey's embalmer license #16230 is revoked.
6. Respondents Signature Funeral Home by Premier and Roland Lee Gosey are assessed and shall pay all investigatory costs and in addition, all hearing costs in this matter, including the court reporter's fees, filing fees, and the fees of the administrative law judge pursuant to TENN. CODE ANN. § 56-1-311(a) and TENN. COMP. R. & REGS. 0780-5-11-.01.

#### **POLICY REASONS FOR DECISION**

It is the policy of the Tennessee Board of Funeral Directors and Embalmers to protect the health, safety, and welfare of the citizens of Tennessee.

#### **REVIEW OF FINAL ORDER**

Within fifteen (15) days after entry of this Final Order, any party may petition the Board for reconsideration of the Final Order. If no action is taken within twenty (20) days of filing of the petition, it is deemed denied.

Any party may petition the Board for a stay of the Final Order within seven (7) days after the entry of the Final Order.

Any party may seek judicial review of the Final Order by filing a petition for review in Chancery Court having jurisdiction within sixty (60) days after the entry of the Final Order. A petition for reconsideration does not act to extend this sixty (60) day period; however, if the petition is granted, then this sixty (60) day period commences from the entry of the Final Order


disposing of the petition.

Any petition relative to a review of the Final Order or Petition to Stay the Judgment of a Final Order is to be filed with the Administrative Procedures Division, Office of the Secretary of State, and with the Board.

**IT IS SO ORDERED and ENTERED BY THE BOARD**, this the 18<sup>th</sup> day of March, 2019.

  
Jeff L. Duffey, President  
Tennessee State Board of Funeral Directors  
and Embalmers

Filed in the Office of the Secretary of State, Administrative Procedures Division, this 19<sup>th</sup> day of March, 2019.

  
J. Richard Collier  
Chief Judge  
Administrative Procedures Division